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EXAMINER

HAMZA, FARUK

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Amendment

1. This action is responsive to the amendment filed on December 31, 2007. Claims 1-32, 35-36 and 38 have been amended. Claims 1-41 is pending.
2. The applicant should always use the period for response to thoroughly and very closely proof read and review the whole of the application for correct correlation between reference numerals in the textual portion of the Specification and Drawings along with any minor spelling errors, general typographical errors, accuracy, assurance of proper use for Trademarks [™], and other legal symbols [®], where required, and clarity of meaning in the Specification, Drawings, and specifically the claims (i.e., provide proper antecedent basis for “the” and “said” within each claim). Minor typographical errors could render a Patent unenforceable and so the applicant is strongly encouraged to aid in this endeavor.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-41 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. *Claimed invention is not directed to a practical application. The claims do not require any physical transformation and the invention as claimed do not produce a useful, concrete and tangible result.*

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. The specification is objected to under 35 U.S.C. 112, first paragraph, as failing to adequately teach how to make an/or use the invention. The specification is enabling for a portion of the subject matter claimed but the enablement is not commensurate in scope with the claim. Specifically, the specification fails to show how the single step of “managed class...” of the claim can perform the claimed functions. Thus, it would require undue experimentation for a person having ordinary skill in the pertinent art to make and use the invention as disclosed and claimed.

Claims 1-31 are rejected under 35 U.S.C. 112 first paragraph, for the reasons set forth in the objection to the specification. See In re Hyatt 218 USPQ 195 (CAFC 1983).

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim language is very unclear and indefinite to understand the claimed subject matter.

Claims 1-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It unclear to examiner how a product claim is comprising steps. Software is able to perform steps but not comprising steps.

Claims 1, 4, 10, 14 and 11 recite the limitation "the creation" and "the registration". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

- 6.** Claims 1-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Pabla et al. (U.S. Pub. No. 2004/0064693) hereinafter referred as Pabla.

Pabla teaches the invention as claimed including mechanism for indexing and searching for identity information in peer-to-peer networks. The identity information may be used, for example, to authenticate users (see abstract).

As to claim 1, Pabla teaches a computer storage medium comprising computer executable instructions for assisting in the creation of clouds that are used to assist in the registration and resolution of peer names in a peer to peer network, the computer executable instructions comprising instructions for creating a Cloud managed class, comprising a scope field, a ScopeID field, a state field, a CloudName field, and an IsCloudNameLocal field (Paragraphs

[0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 2, Pabla teaches the Cloud managed class of claim 1, wherein the state field contains a CloudState enumeration selected from the group consisting of uninitialized, synchronizing, active, invalid, disabled, stand alone, and connection lost (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 3, Pabla teaches the Cloud managed class of claim 1, further comprising at least one method exposed thereby selected from the group consisting of an equals method, a GetHashCode method, a GetType method, a ReferenceEquals method, and a ToString method (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 4, Pabla teaches a computer storage medium comprising computer executable instructions for assisting in the creation of clouds that are used to assist in the registration and resolution of peer names in a peer to peer network, the computer executable instructions comprising instructions for creating a CloudWatcher managed class, comprising a CloudWatcher constructor to instantiate a CloudWatcher object (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 5, Pabla teaches the CloudWatcher managed class of claim 4, further comprising a CloudChanged event raised when a cloud has changed in scope (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 6, Pabla teaches the CloudWatcher managed class of claim 5, wherein the CloudChanged even is raised when a cloud has been created, deleted, and updated (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 7, Pabla teaches the CloudWatcher managed class of claim 4, further comprising a GetGlobalCloud static method that returns a global cloud (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 8, Pabla teaches the CloudWatcher managed class of claim 4, further comprising a Get Clouds static method that utilizes a specified scope parameter to retrieve clouds having the specified scope (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 9, Pabla teaches the CloudWatcher managed class of claim 4, further comprising a Get Clouds static method that retrieves all clouds

(Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 10, Pabla teaches a computer storage medium comprising computer executable instructions for assisting in the creation of clouds that are used to assist in the registration and resolution of peer names in a peer to peer network, the computer executable instructions comprising instructions for creating a PnrpEndPoint managed class, comprising a PeerName field and an IPEndPoint field (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 11, Pabla teaches the PnrpEndPoint managed class of claim 10, further comprising a first PnrpEndPoint constructor that creates a peer name that can be used for registration in a cloud (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 12, Pabla teaches the PnrpEndPoint managed class of claim 10, further comprising a second PnrpEndPoint constructor that utilizes a PeerName parameter, an IPEndPoint, and a cloud parameter to create a peer name that can be used for registration in a cloud (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 13, Pabla teaches the PnrpEndPoint managed class of claim 10, further comprising at least one method exposed thereby selected from the group consisting of an equals method, a GetHashCode method, a GetType method, a ReferenceEquals method, and a ToString method (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 14, Pabla teaches a computer storage medium comprising computer executable instructions for assisting in the creation of clouds that are used to assist in the registration and resolution of peer names in a peer to peer network, the computer executable instructions comprising instructions for creating a PnrpEndPointRegistration managed class, comprising a PeerName field, an Identity field, a RegistrationState field, a cloud field, and a SynchronizingObject field (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 15, Pabla teaches The PnrpEndPointRegistration managed class of claim 14, further comprising a first PnrpEndPointRegistration constructor that constructs a PnrpEndPointRegistration object (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 16, Pabla teaches the PnrpEndPointRegistration managed class of claim 14, further comprising a second PnrpEndPointRegistration

constructor that utilizes a PnrpEndPoint parameter to construct a PnrpEndPointRegistration object (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 17, Pabla teaches the PnrpEndPointRegistration managed class of claim 14, further comprising a third PnrpEndPointRegistration constructor that utilizes a PnrpEndPoint parameter and an Identity parameter to construct a PnrpEndPointRegistration object.

As to claim 18, Pabla teaches the PnrpEndPointRegistration managed class of claim 14, further comprising a fourth PnrpEndPointRegistration constructor that utilizes a PnrpEndPoint parameter, an Identity parameter, and a TimeSpan parameter to construct a PnrpEndPointRegistration object (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 19, Pabla teaches the PnrpEndPointRegistration managed class of claim 14, further comprising at least one method exposed thereby selected from the group consisting of a register method, an unregister method, an equals method, a GetHashCode method, a GetType method, a ReferenceEquals method, and a ToString method (Paragraphs

[0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 20, Pabla teaches the PnrpEndPointRegistration managed class of claim 14, further comprising a RegistrationChanged event raised when a PnrpEndPointRegistration object changes state (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 21, Pabla teaches the PnrpEndPointRegistration managed class of claim 20, wherein the RegistrationChanged event is raised when a PnrpEndPointRegistration is unregistered, registered, and failed (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 22, Pabla teaches a computer storage medium comprising computer executable instructions for assisting in the creation of clouds that are used to assist in the registration and resolution of peer names in a peer to peer network, the computer executable instructions comprising instructions for creating a PnrpEndPointResolver managed class, comprising a PeerName field, a Cloud field, a MaxResults field, a ResolveCriteria field, a TimeSpan field, and a SynchronizingObject field (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 23, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a first PnrpEndPointResolver constructor for constructing a PnrpEndPointResolver object for name resolution (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 24, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a second PnrpEndPointResolver constructor utilizing a PeerName parameter to construct a PnrpEndPointResolver object for name resolution (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 25, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a third PnrpEndPointResolver constructor utilizing a PeerName parameter, a Cloud parameter, a MaxResults parameter, a TimeSpan parameter, and at least one ResolveCriteriaFlags parameter to construct a PnrpEndPointResolver object for name resolution (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 26, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising at least one method exposed thereby selected from the group consisting of a BeginResolution method, an EndResolution method, a resolve method, an equals method, a GetHashCode method, a

GetType method, a ReferenceEquals method, and a ToString method (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 27, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a PeerNameFound event that is raised when a PnrpEndPoint is found (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 28, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a ResolutionCompleted event that is raised when a when a maximum number of results is reached, when no PnrpEndPoint is found, and when a EndResolution method is called (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 29, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a first Resolve static method that utilizes a PeerName parameter to return a PnrpEndPoint (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 30, Pabla teaches the PnrpEndPointResolver managed class of claim 29, wherein the first Resolve static method resolves one remote name

synchronously (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 31, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a second Resolve static method that utilizes a PeerName parameter and a Cloud parameter to return a PnrpEndPoint (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 32, Pabla teaches a method of monitoring by a computing device based application a Cloud in a managed framework, the method comprising the steps of: communicating with a managed CloudWatcher object, the managed CloudWatcher object exposing a constructor for instantiating a CloudWatcher object; initiating the constructor (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 33, Pabla teaches the method of claim 32, wherein the managed CloudWatcher object further exposes static methods for returning a global cloud, for returning a first list of clouds associated with a scope parameter, and for returning a second list of all clouds, the method further comprising the steps of selecting one of the static methods, passing to the managed CloudWatcher object parameters required by the static method, and initiating the

static method (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 34, Pabla teaches the method of claim 32, wherein the managed CloudWatcher object raises a CloudChanged event when a cloud has been created, deleted, and updated (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 35, Pabla teaches a method of managing by an application a PnrpEndPoint in a managed framework, the method comprising the steps of: communicating with a managed PnrpEndPoint object, the managed PnrpEndPoint object exposing at least one constructor for creating a peer name that can be used for registration in a cloud, for creating a peer name that can be used for registration in the cloud from a PeerName parameter, an IPEndPoint parameter, and a cloud parameter; selecting one of the constructors;

passing to the managed PnrpEndPoint object parameters required by the constructor selected; and initiating the constructor (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 36, Pabla teaches a method of managing by an application a PnrpEndPoint in a managed framework, the method comprising the steps of:

communicating with a managed PnrpEndPointRegistration object, the managed PnrpEndPointRegistration object exposing at least one constructor for creating a PnrpEndPointRegistration object, for creating a PnrpEndPointRegistration object utilizing a PnrpEndPoint parameter, for creating a PnrpEndPointRegistration object utilizing a PnrpEndPoint parameter and an Identity parameter, and for creating a PnrpEndPointRegistration object utilizing a PnrpEndPoint parameter, an Identity parameter, and a TimeSpan parameter; selecting one of the constructors; passing to the managed PnrpEndPointRegistration object parameters required by the constructor selected; and

initiating the constructor (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 37, Pabla teaches the method of claim 36, wherein the PnrpEndPointRegistration object raises a RegistrationChanged event when a PnrpEndPointRegistration object changes state (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 38, Pabla teaches a method of resolving by an application a PnrpEndPoint in a managed framework, the method comprising the steps of:
communicating with a managed PnrpEndPointResolver object, the managed PnrpEndPointResolver object exposing at least one constructor for

constructing a PnrpEndPointResolver object for name resolution, for constructing a PnrpEndPointResolver object utilizing a PeerName parameter, for constructing a PnrpEndPointResolver object utilizing a PeerName parameter, a Cloud parameter, a MaxResults parameter, a TimeSpan parameter, and at least one ResolveCriteriaFlags parameter; selecting one of the constructors;

passing to the managed PnrpEndPointRegistration object parameters required by the constructor selected; and initiating the constructor (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 39, Pabla teaches the method of claim 38, wherein the PnrpEndPointResolver object raises a PeerNameFound event when a PnrpEndPoint is found (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 40, Pabla teaches the method of claim 38, wherein the PnrpEndPointResolver object raises a ResolutionCompleted event when a maximum number of results is reached, when no PnrpEndPoint is found, and when an EndResolution method is called (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 41, Pabla teaches the method of claim 38, wherein the PnrpEndPointResolver object further comprises a plurality of static methods to

return a PnrpEndPoint based on a PeerName parameter, and to return a PnrpEndPoint based on a PeerName parameter and a Cloud parameter, the method further comprising the steps of selecting one of the static methods, passing to the managed PnrpEndPointRegistration object parameters required by the static method selected, and initiating the static method (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

7. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

Response to Arguments

8. Applicant's arguments have been fully considered but they are not persuasive.

In the remarks applicant argues that; A) Palba does not teach field name "ScopeID", "CloudName", "IsCloudNameLocal"; class name "CloudWatcher", "PnrpEndPoint" etc.

In response to A) Name of a class or a method or a function or a field or a variable does not have any patentable weight. In programming language class, method, function, field, variable can be named anything. Therefore, Applicant's argument is irrelevant.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll –free).

Faruk Hamza

Patent Examiner

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/saleh najjar/

Supervisory Patent Examiner, Art Unit 2155